



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,845	01/24/2002	Eric F. Meyers	1600-002	1573

7590 08/20/2008
STEPHEN T. SULLIVAN OF ROBERTS,
MIOTKOWSKI & HOBBS, P.C.
7001 E. PARADISE DRIVE
SCOTTSDALE, AZ 85254-5175

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
----------	--------------

2132

MAIL DATE	DELIVERY MODE
-----------	---------------

08/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/057,845

Applicant(s)

MEYERS ET AL.

Examiner

Venkat Perungavoor

Art Unit

2132

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/2007 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 10/15/2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

Applicant's arguments with respect to claims 1-57 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

Claim 1, 2-8, 10,12-15, 35-45, 47-49, are rejected under 35 U.S.C. 102(b) as being anticipated by NPL¹ to Castnet.

¹ See <http://www.castnet.com>

Regarding Claim 1, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 1 (where the talent artist are actors); enabling and denying access to talent file when not associated with a given artist see Page 16 (where the access to actor files is determined by password/username combination) & Page 2 (where directors/agents can search talent files and respond to directors) .

Regarding Claims 2-7, Castnet discloses the talent representatives being anybody associated with an artist see Page 1.

Regarding Claim 8, Castnet discloses the storing of files see Page 2, the talent representative being granted or denied access related to an artist see Page 16.

Regarding Claim 10, Castnet discloses the searching and restricting access to files related to artists see Page 16 and Page 2.

Regarding Claim 12, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2 (where the talent artist are actors); user being a representative for the artist (agent) who has authority over the artist's work see Page 1 (where the managers/agents are representatives); enabling and denying access to talent file when not associated with a given artist see Page 16 (where

the access to actor files is determined by password/username combination) and Page 2(where directors/agents can search talent files and respond to directors).

Regarding Claim 13-15, Castnet discloses the use of representatives for artists see Page 1.

Regarding Claim 35-39, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2 (where the talent artist are actors); enabling to file associated to artists and denying based on a password to access to talent file when not associated with a given artist see Page 16 (where the access to actor files is determined by password/username combination) and Page 2(where directors/agents can search talent files and respond to directors); the user interface see Page 1.

Regarding Claim 40-41, Castnet discloses the searching and restricting access to files related to artists see Page 16 and Page 2.

Regarding Claim 42-45, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2(where the talent artist are actors); enabling to file associated to artists and denying based on a password to access to talent file when not associated with a given artist see Page 16; (where the

access to actor files is determined by password/username combination); the user interface see Page 1.

Regarding Claim 47-48, Castnet discloses the searching and restricting access to files related to artists see Page 16 and Page 2.

Regarding Claim 49, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2(where the talent artist are actors); user being a representative for the artist(agent) who has authority over the artist's work see Page 1; enabling and denying access to talent file when not associated with a given artist see Page 16(where the access to actor files is determined by password/username combination) and Page 2(where directors/agents can search talent files and respond to directors); the user interface and output on to the screen see Page 1.

Claim Rejections - 35 USC § 103

Claim 9, 16, 19-22, 39, 46, are rejected under 35 U.S.C. 103(a) as being unpatentable over NPL² to Castnet in view of U.S. Patent 2002/0129037 A1 to Nathan.

Regarding Claim 9, 39, 46, Castnet does not disclose the restrictive file identifier being used to restrict access to files. However, Nathan discloses the use of restrictive file identifiers to restrict access see Par. 0017-0018. It would be obvious to one having

² See <http://www.castnet.com>

ordinary skill in the art at the time of the invention to include the restrictive file identifier being used to restrict access to files in the invention of Castnet in order to control access to sensitive information as taught in Nathan see Par. 0020.

Regarding Claim 16, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2(where the talent artist are actors); user being a representative for the artist(agent) who has authority over the artist's work see Page 1(where the representatives are managers/agents); enabling and denying access to talent file when not associated with a given artist see Page 16(where the access to actor files is determined by password/username combination) and Page 2(where directors/agents can search talent files and respond to directors). EI does not disclose the restrictive file identifier being used to restrict access to files. However, Nathan discloses the use of restrictive file identifiers to restrict access see Par. 0017-0018. It would be obvious to one having ordinary skill in the art at the time of the invention to include the restrictive file identifier being used to restrict access to files in the invention of Castnet in order to control access to sensitive information as taught in Nathan see Par. 0020.

Regarding Claim 19-22, Nathan discloses the code, password and card being used see Par. 0016.

Claim 11, 25, 32-34, 50-57, are rejected under 35 U.S.C. 103(a) as being unpatentable over NPL³ to Castnet in view of U.S. Patent 2001/0014948 A1 to Ooki et al.(hereinafter Ooki).

Regarding Claim 11, Castnet does not disclose the use of guest pass to grant access to files. However, Ooki discloses the use of guest pass to grant access to files see Abstract & Par.0009. It would be obvious to one having ordinary skill in the art at the time of the invention to include the use of guest pass to grant access to files in the invention of EI in order to grant temporary access.

Regarding Claim 25, 50, 53, 54, 57, Castnet discloses the storing of plurality of talent files related to artists containing information about their talents see Page 2(where the talent artist are actors); enabling and denying access to talent file when not associated with a given artist see Page 16(where the access to actor files is determined by password/username combination) and Page 2(where directors/agents can search talent files and respond to directors). EI does not disclose the use of guest pass to grant access to files. However, Ooki discloses the use of guest pass to grant access to files see Abstract & Par.0009. It would be obvious to one having ordinary skill in the art at the time of the invention to include the use of guest pass to grant access to files in the invention of Castnet in order to grant temporary access.

³ See <http://www.castnet.com>

Regarding Claim 32-34, 51-52, 55-56, Castnet does not disclose the limited number of accesses and the access to limited portion. However, Ooki discloses the limited number of accesses and the access to limited portion see Par. 0005-0008. It would be obvious to one having ordinary skill in the art at the time of the invention to include the limited number of accesses and the access to limited portion in the invention of Castnet in order to limit access.

Claim 17-18, 22-24, 26-31, are rejected under 35 U.S.C. 103(a) as being unpatentable over NPL⁴ to Castnet in view of U.S. Patent 2002/0129037 A1 to Nathan as applied to claim 16 above, and further in view of U.S. Patent 2001/0014948 A1 to Ooki et al.(hereinafter Ooki).

Regarding Claim 17 and 18, Castnet does not disclose the use of guest pass to grant access to files. However, Ooki discloses the use of guest pass to grant access to files see Abstract & Par.0009. It would be obvious to one having ordinary skill in the art at the time of the invention to include the use of guest pass to grant access to files in the invention of EI in order to grant temporary access.

Regarding Claim 22-24, Castnet does not disclose the limited number of accesses and the access to limited portion. However, Ooki discloses the limited number of accesses and the access to limited portion see Par. 0005-0008. It would be obvious to one having

⁴ See <http://www.castnet.com>

ordinary skill in the art at the time of the invention to include the limited number of accesses and the access to limited portion in the invention of Castnet in order to limit access.

Regarding Claim 26-31, Nathan discloses the code, password and card and non-registrants being used see Par. 0016.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./
Examiner, Art Unit 2132
August 12, 2008

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132